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REMARKS

Claims 1 through 10 and 13 through 20 are pending in the application. Claims 11 and 12 are canceled.

Claims 1 through 4, 6 through 15 and 17 through 20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 1,928,965 to Dormeyer, hereinafter "Dormeyer". Applicants respectfully traverse this rejection.

Independent claim 1 provides an immersion blender including an elongated body for containing a drive motor, a first handle and a second handle operatively connected to the first handle, a drive shaft operatively connected to the drive motor, and a tool operatively connected to the drive shaft. The body and the drive shaft extend along a first axis that is at least substantially perpendicular to a working surface of the blender. The first handle has a shape that accommodates a palm of a user's hand, and has a portion elongated along a second axis that is oriented at least substantially parallel to the working surface. The elongated portion is centered about the first axis. The second handle is a portion of the elongated body and has a shape that accommodates the palm of the user's hand.

Dormeyer discloses an electric food mixer including a casing 40 that is provided with a pair of handles 96, one located at each of the side walls of the casing (page 2, lines 18-20). Casing 40 is provided with a plurality of ventilation holes 182 (page 4, lines 148-149). An upper wall 89 of casing 40 receives an insulated thumbpiece 214 having a lower portion for supporting a movable contact 196 (page 5, lines 82-91). Movable contact 196 connects in a circuit at various positions, and changing a position of thumbpiece 214 results in a changed rate of speed of the motor (page 5, lines 129-147).

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Dormeyer thus discloses a food mixer having a body 40, connected to which are two identical handles 96. Body 40 does not include a portion having a **shape that accommodates a palm of a user's hand**, and thus could not be considered a handle as provided in claim 1. Handles 96 are neither a portion of body 40, nor do they include an **elongated portion** that is centered about an axis of body 40. Lastly, thumbpiece 214 is not shaped to accommodate the palm of a user's hand, nor is thumbpiece 214 elongated along any axis. Thus, Dormeyer does not disclose either the first handle or the second handle as provided in claim 1.

As discussed above, Dormeyer does not disclose a blender having a first and second handle, "wherein said first handle has a shape that accommodates a palm of a user's hand, said first handle has a portion elongated along a second axis that is oriented at least substantially parallel to a working surface of said blender, and said elongated portion is centered about said first axis, and wherein said second handle is a portion of said elongated body and has a shape that accommodates said palm of said user's hand," as recited in claim 1. Thus, Dormeyer fails to disclose or suggest the elements of claim 1. Therefore, claim 1 is patentable over Dormeyer.

Independent claims 8 and 13 include recitals similar to claim 1. Therefore, for at least reasoning similar to that provided in support of claim 1, claims 8 and 13 are patentable over Dormeyer.

Claims 2 through 4, 6 and 7 depend from claim 1. For at least reasoning similar to that provided in support of the patentability of claim 1, claims 2 through 4, 6 and 7 are patentable over Dormeyer.

Claims 9 and 10 depend from claim 8, and claims 14, 15 and 17 through 20 depend from claim 13. For at least reasoning similar to that provided in support of the patentability of claims 8 and 13, claims 9, 10, 14, 15 and 17 through 20 are patentable over Dormeyer.

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For the reasons set forth above, the rejection of claims 1 through 4, 6 through 15 and 17 through 20 under 35 U.S.C. 102(b) as anticipated by Dormeyer is overcome. Applicants respectfully request that the rejection of claims 1 through 4, 6 through 15 and 17 through 20 be reconsidered and withdrawn.

Claims 1 through 6, 8, 9, 11 through 17, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,193,404 to Calange, hereinafter "Calange". Applicants respectfully traverse this rejection.

Calange discloses a blender having a tube 2 secured to a case 3 (col. 2, lines 40-42). The top of case 3 has a handle 4 integrally formed thereon (col. 2, lines 46-47).

However, Calange discloses only a single handle 4. Case 3 cannot be considered a handle, and further does not have a **shape that accommodates a palm of a user's hand**. Furthermore, handle 4 is not configured to be **approximately perpendicular to a working surface** of the blender. In addition, the hand guard portion of handle 4 could not be considered a first handle as provided in claim 1, as the hand guard does not have a shape that accommodates a user's palm, does not have a portion that is **parallel to the working surface**, and is not **centered about an axis** of the blender.

Accordingly, Calange does not disclose a blender having a first and second handle, "wherein said first handle has a shape that accommodates a palm of a user's hand, said first handle has a portion elongated along a second axis that is oriented at least substantially parallel to a working surface of said blender, and said elongated portion is centered about said first axis, and wherein said second handle is a portion of said elongated body and has a shape that accommodates said palm of said user's hand," as recited in claim 1. Thus, Calange fails to disclose or suggest the elements of claim 1. Therefore, claim 1 is patentable over Calange.

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Independent claims 8 and 13 include recitals similar to claim 1. Therefore, for reasoning similar to that provided in support of claim 1, claims 8 and 13 are patentable over Calange.

Claims 2 through 6 depend from claim 1, claim 9 depends from claim 8, and claims 14 through 17, 19 and 20 depend from claim 13. For at least reasoning similar to that provided in support of the patentability of claims 1, 8 and 13, claims 2 through 6, 9, 14 through 17, 19 and 20 are patentable over Calange.

For the reasons set forth above, the rejection of claims 1 through 6, 8, 9, 11 through 17, 19 and 20 under 35 U.S.C. 102(b) as anticipated by Calange is overcome. Applicants respectfully request that the rejection of claims 1 through 6, 8, 9, 11 through 17, 19 and 20 be reconsidered and withdrawn.

Claims 1 through 6, 8, 9, 11 through 17, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,273,601 to Hlavka, hereinafter "Hlavka". Applicants respectfully traverse this rejection.

Hlavka discloses a power mixer having a drive motor accommodated in the of a drive unit housing 3 (col. 2, lines 27-30). A holding frame 8 is attached on housing 3, on which two handles 9 and 10 are arranged which are located on either side of the drive unit 2 (col. 2, lines 39-42).

Hlavka discloses a drive unit 2, but does not disclose a handle that is a portion of drive unit 2 and has a **shape that accommodates a user's palm**. Furthermore, although Hlavka discloses handles 9 and 10 on either side of the mixer, Hlavka does not disclose a handle that both has a shape that accommodates a user's palm, that is **elongated parallel to a working surface of the mixer, and is centered about an axis of mixer body**. Therefore, Hlavka does not disclose "wherein said first handle has a shape that accommodates a palm of a user's hand, said first handle has a portion elongated along a second axis that is oriented at least substantially parallel to a working

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surface of said blender, and said elongated portion is centered about said first axis, and wherein said second handle is a portion of said elongated body and has a shape that accommodates said palm of said user's hand," as recited in claim 1.

Thus, Hlavka fails to disclose or suggest the elements of claim 1. Therefore, claim 1 is patentable over Hlavka.

Independent claims 8 and 13 include recitals similar to claim 1. Therefore, for at least reasoning similar to that provided in support of claim 1, claims 8 and 13 are patentable over Hlavka.

Claims 2 through 6 depend from claim 1, claims 9 and 10 depend from claim 8, and claims 14, 15 and 17 through 20 depend from claim 13. For at least reasoning similar to that provided in support of the patentability of claims 1, 8 and 13, claims 2 through 6, 9, 10, 14, 15 and 17 through 20 are patentable over Hlavka.

For the reasons set forth above, the rejection of claims 1 through 6, 8, 9, 11 through 17, 19 and 20 under 35 U.S.C. 102(b) as anticipated by Hlavka is overcome. Applicants respectfully request that the rejection of claims 1 through 6, 8, 9, 11 through 17, 19 and 20 be reconsidered and withdrawn.

Claims 1 through 6, 8, 9 and 11 through 12 are rejected under 35 U.S.C. 102(b) as being anticipated by European Patent Application No. 1 230 883 A2 to Sammic, S.A., hereinafter "Sammic". Applicants respectfully traverse this rejection.

Sammic discloses a food mixing and grinding machine including an ergonomically styled handle 3, a casing made up of two parts 1 and 2 in the area of the handle 3 and having a bell-shaped part 4 that connects grinding rod 5 (pars. 0038-0040). An electronic circuit 13 which controls the workings of the apparatus is incorporated in the interior of the casing (par. 0042).

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However, Sammic discloses only a single handle, namely handle 3. Sammic does not disclose an additional handle as provided in claim 1. The Office Action contends that the electrical connection located above handle 3 is a separate handle. However, this connection does not have a shape that accommodates a user's palm, nor does it have an elongated portion that is centered about an axis of the mixing machine. Thus, Sammic does not disclose a first handle and a second handle as provided in claim 1.

As discussed above, Sammic does not disclose a blender having a first and second handle, "wherein said first handle has a shape that accommodates a palm of a user's hand, said first handle has a portion elongated along a second axis that is oriented at least substantially parallel to a working surface of said blender, and said elongated portion is centered about said first axis, and wherein said second handle is a portion of said elongated body and has a shape that accommodates said palm of said user's hand," as recited in claim 1. Thus, Sammic fails to disclose or suggest the elements of claim 1. Therefore, claim 1 is patentable over Sammic.

Independent claim 8 includes recitals similar to claim 1. Therefore, for at least reasoning similar to that provided in support of claim 1, claim 8 is patentable over Sammic.

Claims 2 through 6 depend from claim 1, and claim 9 depends from claim 8. For at least reasoning similar to that provided in support of the patentability of claims 1 and 8, claims 2 through 6 and 9 are patentable over Sammic.

For the reasons set forth above, the rejection of claims 1 through 6, 8, 9, 11 and 12 under 35 U.S.C. 102(b) as anticipated by Sammic is overcome. Applicants respectfully request that the rejection of claims 1 through 6, 8, 9, 11 and 12 be reconsidered and withdrawn.

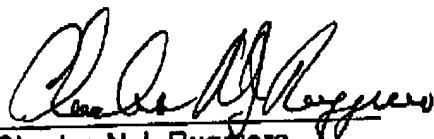
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An indication of the allowability of all pending claims by issuance of a Notice of Allowability is earnestly solicited.

Respectfully submitted,

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